

REMARKS

In the final Office Action of January 5, 2007, the Examiner rejected claims 1, 2, 6-8, 10-15, 25-29, 33-35, 37, and 52-54 under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 6,480,860, issued to Monday, in view of U.S. Patent No. 6,704,723, issued to Alavi et al. ("Alavi"), rejected claims 3-5 and 30-32 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Monday in view Alavi, and further in view of U.S. Patent No. 6,732,360, issued to Seo, and rejected claims 9 and 36 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Monday in view of Alavi, and further in view of U.S. Patent No. 5,826,270, issued to Rutkowski. By this amendment, Applicant amends claims 1, 25, and 52. Claims 1-10, 25-37, and 52-54 remain pending. Applicants traverse the rejections of claims 1-10, 25-37, and 52-54 for the following reasons.

Independent claim 1 has been amended to recite, *inter alia*, "performing a financing transaction, the financing transaction including" a number of recited steps, including, *inter alia*, "sending the requested financing document to the requestor application, wherein the requested financing document is used in the financing transaction." Independent claim 25 has been amended to recite, *inter alia*, "a master pivot program . . . for retrieving the first requested financing document from a destination system using the document retrieval information, wherein the first requested financial document is used in the financing transaction." Independent claim 52 has been amended to recite, *inter alia*, "computer readable program code means for sending the requested financing document to the requestor application, wherein the requested financing document is used in the financing transaction."

To establish *prima facie* obviousness under 35 U.S.C. § 103(a), *inter alia*, the applied references, taken alone or in combination, must teach or suggest each and every element or step recited in the claims. See M.P.E.P. § 2143.03. Neither Monday nor Alavi, either taken alone or in combination, disclose each and every element of the present claims.

For example, claim 1 recites *inter alia*, “performing a financing transaction, the financing transaction including” a number of recited steps, including, *inter alia*, “sending the requested financing document to the requestor application, wherein the requested financing document is used in the financing transaction.” Neither Alavi nor Monday disclose or suggest “performing a financing transaction” that includes the claimed steps. Furthermore, neither Alavi nor Monday disclose that the requested financing document “is used in the financing transaction,” as recited in claim 1.

Monday discloses a system for using a markup language, such as XML, to allow a user to access information in a database. Data requests are made from a markup language interface, such as an XML interface, and are then sent through a translator, or bridge, which parses the requests and sends them to an appropriate source (i.e. database) that contains the requested data. The source then retrieves the data and sends it back to the translator, which constructs an XML document with the retrieved data and sends it back to the requesting client. See col. 7, lines 24-67. Monday is not concerned with financing documents or performing a financing transaction, as recited in claim 1.

Alavi discloses a method and system for providing business intelligence information over a computer network via extensible markup language. See Alavi, Title.

The system of Alavi allows users to submit queries for certain financial information, and returns results of the query as a set of results, such as a table or report. See *id.* at col. 4, line 44 – col. 5, line 50. Alavi is also not concerned with financing documents or performing a financing transaction, as recited in claim 1. As described in Applicant's specification, a financing document is a document used in connection with financing a transaction. See, e.g., Applicant's specification, paragraphs 5, 6, 22-23, and 30-68. Alavi fails to disclose or suggest requesting and sending financing documents, or performing a financing transaction, as recited in claim 1.

For at least these reasons, neither Monday nor Alavi, either alone or in combination, teach each and every limitation of claim 1. Accordingly, the rejection of claim 1 under 35 U.S.C. § 103(a) should be withdrawn and the claim allowed.

Independent claims 25 and 52, although of different scope from claim 1, also recite a financing document that "is used in [a] financing transaction." Thus claims 25 and 52 are distinguishable from the cited art for at least similar reasons to those discussed above in connection with claim 1. Accordingly, the rejection of claims 25 and 52 should be withdrawn and the claims allowed.

Dependent claims 2, 6-8, 10 and 53 depend from independent claim 1, while dependent claims 26-29, 33-35, 37, and 54 depend from independent claim 25. As explained above, independent claims 1 and 25 are distinguishable from the cited art. Therefore, dependent claims 2, 6-8, 10, 26-29, 33-35, 37, 53, and 54 are also distinguishable from the cited art for at least the same reasons set forth above in connection with independent claims 1 and 25. Accordingly, the rejection of these claims should be withdrawn and the claims allowed.

Dependent claims 3-5 and 30-32 were rejected as being unpatentable over Monday in view of Alavi and Seo, and dependent claims 9 and 36 were rejected as being unpatentable over Monday in view of Alavi and Rutkowski. However, as discussed above, Monday and Alavi fail to disclose certain claim features present in the pending independent claims. Neither Seo nor Rutkowski cure the deficiencies of Monday and Alavi. Thus, Applicant respectfully traverses the rejections of claims 3-5, 9, 30-32, and 36 for at least the same reasons described above.

In view of the foregoing remarks, Applicant submits that claims 1-10, 25-37, and 52-54 are neither anticipated nor rendered obvious in view of the cited art. Applicant therefore requests the Examiner's reconsideration of the application, and the timely allowance of the pending claims.

The final Office Action contains characterizations of the claims and the related art with which Applicant does not necessarily agree. Unless expressly noted otherwise, Applicant declines to subscribe to any statement or characterization in the final Office Action.

If a telephone interview will expedite issuance of this application, the Examiner is requested to call Applicant's representative whose name and registration number appear below, at 202-408-4138 to discuss any remaining issues.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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